

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

LaRon Young,

Case No. 22-cv-2014 (SRN/DTS)

Plaintiff,

v.

REPORT AND RECOMMENDATION

Sherburne County Jail and Trinity
Services Group, Inc.,

Defendants.

In an order dated September 7, 2022, this Court directed plaintiff LaRon Young to submit an initial partial filing fee of at least \$22.82 within 21 days. See Docket No. 5 (citing 28 U.S.C. § 1915(b)). Young was warned at that time that failure to submit the required initial partial filing fee within 21 days would result in a recommendation that this action be dismissed without prejudice for failure to prosecute. See Fed. R. Civ. P. 41(b).

That deadline has now passed, and Young has not submitted the required initial partial filing fee. In fact, Young has not communicated with the Court about this case at all since this Court's September 7 Order. Accordingly, this Court now recommends, in accordance with that Order, that this action be dismissed without prejudice under Rule 41(b) for failure to prosecute. See *Henderson v. Renaissance Grand Hotel*, 267 F. App'x 496, 497 (8th Cir. 2008) (per curiam) ("A district court has discretion to dismiss an action under Rule 41(b) for a plaintiff's failure to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.").

RECOMMENDATION

For the reasons set forth above, the Court RECOMMENDS THAT this action be DISMISSED WITHOUT PREJUDICE under Fed. R. Civ. P. 41(b) for failure to prosecute.

Dated: October 13, 2022

s/David T. Schultz
DAVID T. SCHULTZ
U.S. Magistrate Judge

NOTICE

Filing Objections: This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), “a party may file and serve specific written objections to a magistrate judge’s proposed finding and recommendations within 14 days after being served a copy” of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. LR 72.2(b)(2). All objections and responses must comply with the word or line limits set for in LR 72.2(c).